



2019 Northern/Southern Regional Conference

Hyatt Centric French Quarter New Orleans
800 Iberville Street, New Orleans, Louisiana 70112

October 20-23, 2019

“BIG IDEAS IN THE BIG EASY”

Sunday, October 20, 2019

- 1:00 p.m. – 5:00 p.m. Early Registration – Hyatt Centric French Quarter - Lafitte Foyer A (1st Floor)
- 6:30 p.m. – 8:30 p.m. **WELCOME RECEPTION**
Mardi Gras World, 13880 Port of New Orleans PI, New Orleans, Louisiana 70130
(Transportation provided)
- 9:00 p.m. – 12:00 p.m. Hospitality Suite- Atrium Courtyard (2nd Floor)

Monday, October 21, 2019 – General Session

- 7:00 a.m. – 4:00 p.m. Registration and Help Desk – D.H. Holmes Foyer (1st Floor)
- 7:00 a.m. – 9:00 a.m. **BREAKFAST** – Lafitte Rooms (1st Floor)
- 9:00 a.m. - 10:00 a.m. Opening Ceremonies – D.H. Holmes Room (1st Floor)
Presentation of Colors
Welcome
Keynote Speaker – Honorable John Bel Edwards, Governor of Louisiana
Roll Call of States and Associate Members

10:00 a.m. - 11:00 a.m. **SESSION #1: THE INDUSTRY THEN; THE INDUSTRY NOW**
 “We go through the present blindfolded... Only later, when the blindfold is removed and we examine the past, do we realize what we've been through and understand what it means. ” — **Milan Kundera**
 Join this engaging discussion among alcohol industry members and regulators about the changes in the industry over the last decade and their implications on the industry’s future.

MODERATOR – JUANA MARINE-LOMBARD, COMMISSIONER, LOUISIANA OFFICE OF ALCOHOL AND TOBACCO CONTROL

Panelists:

- **JOHN CORDREY**, Commissioner, Delaware ABC
- **ALAN STEEN**, VP Government Affairs, Southern Glazers Wine and Spirits and Former Executive Director of Texas ABC
- **STEVEN BARKER**, Deputy Director and General Counsel, Oklahoma ABLE Commission
- **MATTHEW BOTTING**, General Counsel, California ABC



2019 Northern/Southern Regional Conference

Hyatt Centric French Quarter New Orleans
800 Iberville Street, New Orleans, Louisiana 70112

October 20-23, 2019

“BIG IDEAS IN THE BIG EASY”

Monday, October 21, 2019 (cont.)

11:00 a.m. - 11:15 a.m. **BREAK** – Lafitte Foyer A (1st Floor)

11:15 a.m. - 12:15 p.m. **SESSION #2: CHANGES IN THE DYNAMICS OF THE 3 TIER SYSTEM**

Times are changing! Globalization and consolidation of the wine, spirits and beer businesses, and the broad and easy availability of product information, have created new routes to market, new product offerings, new retail business models, and new convenience based delivery applications. The meteoric rise of craft breweries, craft distillers, small wineries and the increased market power of big box of retailers and national chains are rapidly changing consumer market perceptions and challenging static regulations. This panel will discuss the challenges, and the opportunities, for state regulators to get in front of the changes rather than playing catch up after the fact.

**MODERATOR – JOHN HINMAN, ATTORNEY, HINMAN & CARMICHAEL, LLP,
SAN FRANCISCO, CA**

Panelists:

- **PAUL PISANO**, Senior Vice President & General Counsel, National Beer Wholesalers Association
- **HUNTER LIMBAUGH** – Southeastern Counsel, Wine Institute
- **JILL GAUTREAUX**, Special Counsel, Kean Miller, LLP, New Orleans, LA
- **PAUL GATZA**, Senior Vice President-Brewing Division, Brewers Association

12:15 p.m. – 1:30 p.m. **LUNCH** – D.H. Holmes Room (1st Floor)

1:30 p.m. - 2:30 p.m. **SESSION #3: ALCOHOL DELIVERY**

Consumer trends show that they want everything to be convenient and be delivered directly to their door from wherever the product originates, a trend that no legislator contemplated when implementing the three tier system. Regulators and legislators alike are now being asked to determine how and where this new convenience economy fits into the three tier system. Panelists will inform the audience about the various business models that currently operate in the marketplace and will discuss legal, regulatory and other issues that accompany these business models.

**MODERATOR – MICHAEL HALFACRE, EXECUTIVE DIRECTOR,
BEER WHOLESALERS ASSOCIATION OF NEW JERSEY**

Panelists:

- **JACI FLUG**, Vice President of Legal and Industry Affairs, Drizly
- **ANGELA MINCKLER**, Compliance Counsel, Instacart
- **DAVID TOOMEY**, Senior Corporate Counsel, Shipt
- **VIGNESH GANAPATHY**, Head of Government Relations, Postmates

2:30 p.m. - 2:45 p.m. **BREAK** - Lafitte Foyer A (1st Floor)



2019 Northern/Southern Regional Conference

Hyatt Centric French Quarter New Orleans
800 Iberville Street, New Orleans, Louisiana 70112

October 20-23, 2019

“BIG IDEAS IN THE BIG EASY”

Monday, October 21, 2019 (cont.)

2:45 p.m. - 4:00 p.m.

SESSION #4: HOT TOPICS - This panel will explore a number of important issues of the day, including:

- Tainted / counterfeit alcohol: as deaths related to tainted alcohol continue to mount, the panel will discuss the need for continued strong regulatory oversight in the distribution of alcoholic beverage products.
- Human trafficking: Traffickers are using hospitality venues with increasing frequency to exploit victims. The panel will discuss how state legislators, regulators and industry members can respond to this crisis.
- A *Granholm* for retailers? With the ink not yet dry on the *Tennessee Wine & Spirits Retailers Ass’n* case, the panel will provide updates on retailer-led challenges in Illinois, Texas and elsewhere.
- Rule-making: Whenever laws are passed, rules are sure to follow. This panel will evaluate the relationship between the regulator and the regulated in implementing alcohol policy through the rule-making process.

Moderator – HARLAN POWELL, PARTNER, WEBSTER POWELL, P.C., CHICAGO, IL

Panelists:

- **CLARK SMITH**, General Counsel, Texas ABC
- **JEREMY KRUDENEIER**, Vice Executive Director, Wine and Spirits Distributors of Illinois
- **MARBET LEWIS**, Partner, Spiritus Law
- **HANNAH BECKER**, Partner, Grey Robinson

4:00 p.m. **Free night to explore New Orleans!** (Hospitality Suite closed)

Tuesday, October 22, 2019 – General Session

7:00 a.m. – 4:00 p.m. Registration and Help Desk – D.H. Holmes Foyer (1st Floor)

7:00 a.m. – 9:00 a.m. **BREAKFAST** – Lafitte Rooms (1st Floor)

9:00 a.m. - 9:15 a.m. **KEYNOTE SPEAKER** – Honorable LaToya Cantrell, Mayor of New Orleans

SESSION #5: SPONSORSHIP AGREEMENTS – AN END RUN ON TIED HOUSE?

Sponsorships have become part of the industry landscape, from local events, to festivals to concert series. Many jurisdictions allow some sponsorship agreement between suppliers and liquor licensees and non-licensees. Do these agreements flirt with trade practice laws both from the state and federal level? A panel of experts from different tiers of the industry will discuss best practices and potential pitfalls of sponsorship agreements along with the enforcement risks created when sponsorship agreements are not properly prepared.

Moderator – WILL CHEEK, III, PARTNER, WALLER LANDSEN DORTCH & DAVIS, LLP, NASHVILLE, TN



2019 Northern/Southern Regional Conference

Hyatt Centric French Quarter New Orleans
800 Iberville Street, New Orleans, Louisiana 70112

October 20-23, 2019

“BIG IDEAS IN THE BIG EASY”

Tuesday, October 22, 2019 (cont.)

Panelists:

- **BARBARA KWON**, Attorney, Danow, McMullan & Panoff, P.C., New York
- **THOMAS KIRBY**, Chief, Bureau of Law Enforcement, Virginia ABC
- **KARI COHEN**, Vice President and Deputy General Counsel, BSE Global

10:15 a.m. - 11:15 a.m.

SESSION #6: REGULATING LARGE AND OPEN VENUES

Large venues and open areas create unique issues for regulators and industry members alike. These locations often have multiple licensees, limited food service, minors in attendance and a limited ability to closely supervise consumers which lead to unique enforcement issues such as determining which licensee served a patron and/or monitoring consumption when consumers can purchase from multiple locations or managing large crowds. A panel of experts will discuss the unique issues involved with regulating large or open venues.

MODERATOR – KYLE HILL, Partner, MARTIN, FROST & HILL, PC, AUSTIN, TX

Panelists:

- **JUANA MARINE-LOMBARD**, Commissioner, Louisiana Office of Alcohol and Tobacco Control
- **JIM DIANA**, Lieutenant, Delaware Alcohol & Tobacco Enforcement
- **KRISTEN TECHEL**, Partner, Strike & Techel, LLP, San Francisco, CA
- **ALLISON ROVIRA**, Attorney, Allison U. Rovira, LLC, Baton Rouge, LA

11:15 a.m. - 11:30 a.m.

BREAK - Lafitte Foyer A (1st Floor)

11:30 a.m. - 12:30 p.m.

SESSION #7: INDUSTRY PROFESSIONALISM: THE DISTINCTIONS BETWEEN LAWYERS AND LOBBYISTS AND THE SOMETIMES FORGOTTEN PARAMETERS

Often the roles of attorneys are unclear, distorted or sometimes just misrepresented in less formal administrative proceedings and during whirlwind legislative processes where everything is not always what it seems. Some attorneys are lobbyists but not all lobbyists are attorneys. Do the rules of professional conduct still apply to administrative proceedings and the legislative process? Do state Codes of Professionalism apply to lawyers engaging in lobbying, such as Louisiana’s “I will conduct myself with honesty, dignity, civility, courtesy and fairness and will not engage in any demeaning or derogatory actions or commentary toward others.”

MODERATOR –ERNEST LEGIER, DEPUTY COMMISSIONER, LOUISIANA OFFICE OF ALCOHOL AND TOBACCO CONTROL

Panelists:

- **LINDA PHAM**, Attorney, Louisiana Office of Alcohol and Tobacco Control
- **TRAVIS HILL**, Chief Executive Officer, Virginia ABC Authority
- **ERIN KENNY**, Partner, Taylor Porter, Baton Rouge, LA
- **JAY HIBBARD**, Vice President, State Government Relations, Eastern Region of DISCUS



2019 Northern/Southern Regional Conference

Hyatt Centric French Quarter New Orleans
800 Iberville Street, New Orleans, Louisiana 70112

October 20-23, 2019

“BIG IDEAS IN THE BIG EASY”

Tuesday, October 22, 2019 (cont.)

12:30 p.m. – 1:30 p.m. **LUNCH** – D.H. Holmes Room (1st Floor)

1:30 p.m. - 2:30 p.m. **SESSION #8: CANNABIS: FROM CBD TO THC AND BEYOND**

Despite remaining illegal at the federal level, states continue to legalize medical and recreational cannabis. The 2018 Farm Bill which legalized hemp and its derivatives at the federal level recently became effective. Many industry members equate the passage of the Farm Bill to the legalization of all hemp derived products and CBD, but is that true? CBD is seemingly everywhere with industry members at all tiers wishing to participate in a rapidly growing market. Regulators and legislators are struggling to keep up with the market and regulate the new infused products. The landscape where alcohol and cannabis meet is changing fast and all members in the alcoholic beverage industry are scrambling to keep up with regulatory changes and market innovation. This panel of experts will provide the audience with an understanding of the changing landscape of hemp and cannabis and their overlap with alcohol.

Moderator – CAROLINE O’CONNELL, PARTNER, CONN KAVANAUGH, ROSENTHAL, PEISCH & FORD, LLP, BOSTON, MA

Panelists:

- **ALVA MATHER**, Partner, DLA Piper LLP, Philadelphia, PA
- **ERIC ALTPETER**, Associate, Flaherty & O’Hara, PC, Pittsburgh, PA
- **TONYA HUCKS-WATSON**, Legal Liaison, Virginia ABC
- **RYAN MALKIN**, Principal Attorney, Malkin Law, P.A., Miami Beach, FL

2:30 p.m. - 2:45 p.m. **BREAK** - Lafitte Foyer A (1st Floor)

2:45 p.m. - 4:00 p.m. **SESSION #9: THE RISE OF THE RETAIL TIER AND THE IMPACT OF TENNESSEE WINE & SPIRITS RETAILERS V. THOMAS**

The recently decided Tennessee Wine & Spirits v. Thomas is only the second Supreme Court case to address the powers and limitations of the 21st Amendment. A few short months later, a new generation of cases have brought challenging liquor laws based upon the Tennessee Wine case. A panel of experts will discuss this historic case along with its implications and the potential impact it will have on liquor regulation for years to come.

MODERATOR – RICHARD BLAU, CHAIR, ALCOHOL & BEVERAGE DEPARTMENT, GRAYROBINSON, P.A., TAMPA, FL

Panelists:

- **CLAY BYRD**, Special Counsel, Adams & Reese, LLP, Nashville, TN
- **TERI QUIMBY**, Esq.
- **ROBERT SHAFFER**, General Counsel and Senior Vice President, Total Wine & More



2019 Northern/Southern Regional Conference

Hyatt Centric French Quarter New Orleans
800 Iberville Street, New Orleans, Louisiana 70112

October 20-23, 2019

“BIG IDEAS IN THE BIG EASY”

Tuesday, October 22, 2019 (cont.)

6:00 p.m. – 9:00 p.m. **RECEPTION AND BANQUET** – Creole Queen
(Transportation provided)

9:30 p.m. – 12:00 a.m. Hospitality Suite – Atrium Courtyard (2nd Floor)

Wednesday, October 23, 2019 – General Session

7:00 a.m. – 9:00 a.m. **BREAKFAST** – Lafitte Rooms (1st Floor)

9:30 a.m. - 10:30 a.m. **SESSION #10: SIX DEGREES OF REGULATOR SEPARATION: LEGAL ETHICS AND SOCIAL MEDIA**

In this interconnected world, we are linked to industry members and regulators alike, whether directly or indirectly, and are privy to constant communications. Maintaining boundaries is no longer as easy as refusing to pick up the phone. Come hear about the legal and ethical boundaries of social media communication such as when does marketing becoming client solicitation or an unintentional creation of an attorney client relationship.

MODERATOR – WESLEY GEISELMAN, Of Counsel, Post Polak, P.A., Roseland,NJ

Panelists:

- **RUSSELL THOMAS**, Executive Director, Tennessee ABCC
- **SEAN O’LEARY**, President, O’Leary Law & Policy Group, LLC, Elmhurst IL
- **ANNA HIRAI**, Assistant Administrator, Honolulu Liquor Commission
- **ADENA SANTIAGO**, Senior Counsel, Husch Blackwell LLP, Washington, DC

10:30 a.m. - 11:30 a.m. **SESSION #11: BIG IDEAS IN TECHNOLOGY: THE GOOD, THE BAD, AND THE UGLY UNINTENDED CONSEQUENCES**

The acceleration of technology offers advantages and disadvantages. This panel will offer private and public sector perspectives on both the positive and negative intersections of technology and alcohol regulation. Hear big questions and learn big, creative, and insightful answers to current and future technologies used to enforce alcohol laws.

MODERATOR – SUSAN DWORAK, CHIEF EXECUTIVE OFFICER, REAL IDENTITIES

Panelists:

- **WENDY TURK**, Director of Regulatory Affairs, Fintech
- **TOM STEIN**, Deputy General Counsel, CLEAR
- **CALVIN FABRE**, President, Envoc
- **JOHN YEOMANS**, Director of Enforcement, Delaware ABC